

# ORDINANCE No. 185907

\* Assess property for system development charge contracts, private plumbing loan contracts and safety net loan deferral contracts (Ordinance; Z0792, K0140, T0150, W0023, Z0793, K0141, T0151, W0024, Z1191, P0118, P0119, Z0794, W0025)

The City of Portland ordains:

Section 1. The Council finds:

1. ORS 223.207 and 223.208 provide that the rights and duties accorded the City and property owners by the laws related to assessment and financing local improvement districts shall also apply to system development charges imposed by the City as defined by ORS 223.208.
2. Chapters 17.13, 17.14 and 17.15 of the Code of the City of Portland provide procedures for complying with these statutory provisions.
3. The City Auditor has on file signed installment payment contracts for bond financing of system development charges. As required by the above-mentioned statutes and Code provisions, each payment contract contains the amount of the system development charge to be financed, the financing fee charged by the Auditor's Office, the legal description of the benefited property, financing terms and conditions, and the signature(s) of the property owners.
  - a. Exhibit A is the assessment roll of the installment payment contracts to finance system development charges. The contracts include system development charges totaling **\$276,742.12**, and financing charges of **\$1,876.04**, which are used to pay for assessing, processing and financing the liens. Each assessment amount on the roll reflects the system development charge and the financing cost. The financed system development charge contracts total **\$278,618.16**.
4. The City Auditor has on file signed deferral contracts for payment of deferred system development charges. As required by the above-mentioned statutes and Code provisions, each deferral contract contains the amount of the system development charge, the legal description of the benefited property, deferral terms and conditions, and the signature(s) of the property owners.
  - a. Exhibit B is the assessment roll of the deferral contracts to defer system development charges. The deferred system development charge contracts total **\$1,463,397.03**.
5. On March 3, 1993, the Council adopted Ordinance No. 166291, establishing the Private Plumbing Loan program to expand private plumbing options available to eligible property owners with incomes that exceed 80% of the regional median income.
6. The City Auditor has on file signed private plumbing contracts from qualified property owners

who wish to participate in the program. As required by the above-mentioned statutes and Code provisions, each contract contains the amount of the private plumbing charge, the loan origination fee, the financing fee, the legal description of the benefited property, financing terms and conditions, and the signature(s) of the property owners.

- a. Exhibit C is the assessment roll of the private plumbing contracts. The contracts include sewer connection charges totaling \$62,550.50, financing charges of \$ 400.00, and loan origination fees of \$ 500.00 which are used to pay for the cost of assessing and processing the liens. Each assessment amount on the roll reflects the sewer connection charge and the financing costs. The private plumbing contracts total \$63,450.50
7. Section 17.33.035 of the Code of the City of Portland states that the City shall provide sewer connection assistance to eligible property owners based on administrative rules and procedures adopted by the Director.
8. Portland Policy Document (PPD) ENB-4.18, section 5.0 "Assistance" was updated by the Bureau of Environmental Services on June 2, 2008 and includes rules and procedures for the deferral of private plumbing costs.
9. The City Auditor has on file signed private plumbing charge deferral contracts from qualified property owners who wish to participate in the program. As required by the above-mentioned statutes, Code provisions, and Policy Document each deferral contract contains the amount of the private plumbing charge, the legal description of the benefited property, the deferral ending date, financing terms and conditions, and the signature(s) of the property owners.
  - a. Exhibit D is the assessment roll of the deferral contracts to defer private plumbing charges. The private plumbing charge deferral contracts total \$46,948.44.
10. On August 1, 2012, the Council adopted Ordinance No. 185533, establishing a pilot Water Safety Net Loan Program to be offered to qualified property owners in the Deltawood Phase 1 Local Improvement District. The Water Safety Net Loan Program will be similar to and operate in conjunction with the existing Bureau of Environmental Services' (BES) Safety Net Loan Program that will be offered to qualified property owners in the Deltawood Phase 2 Local Improvement District.
11. The City Auditor has on file signed Water and BES Safety Net Deferral Loan contracts from qualified property owners in the Deltawood Phase 1 & 2 LID's who wish to participate in the program. Each deferral contract contains the amount of the deferred charge, the legal description of the benefited property, the deferral ending date, financing terms and conditions, and the signature(s) of the property owners.
  - a. Exhibit E is the assessment roll of the safety net deferral loan program charges. The Water and BES Deltawood safety net deferral contracts total \$50,466.44.
12. The combined total of the system development charge installment contracts, system development charge deferral contracts, private plumbing contracts, and private plumbing

deferral contracts to be assessed by this Ordinance is \$1,902,880.57.

NOW, THEREFORE, the Council directs:

- a. The City Council hereby approves and assesses system development charges and financing fees on benefited property as described in Exhibit A, deferred system development charges as described in Exhibit B, private plumbing charges as described in Exhibit C, private plumbing deferral charges as described in Exhibit D, and safety net deferral loan program charges as described in Exhibit E (attached to original Ordinance only).
- b. The City Auditor shall enter these assessments into the Docket of City Liens. The assessments represent liens on benefited property for financed system development charges and private plumbing loans with their financing fees, the deferral of system development charges and private plumbing loans, and the deferral of safety net loan program charges.

Section 2. The Council declares an emergency exists because of the necessity of expediting installment payments into the Auditor's office and reducing costs; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council:

FEB 27 2013

Prepared by:

Sharon Simrin SS

February 21, 2013

LaVonne Griffin-Valade

Auditor of the City of Portland


By



Deputy

Agenda No. **185907**  
**ORDINANCE NO.**  
 Title

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<p><b>INTRODUCED BY</b>          Commissioner/Auditor:  <b>LaVonne Griffin-Valade</b></p>	<p>CLERK USE: DATE FILED <u>FEB 22 2013</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">LaVonne Griffin-Valade          Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: City Auditor          Bureau Head: LaVonne Griffin-Valade</p> <p>Prepared by: Sharon Simrin          Date Prepared: 02-21-2013</p> <p>Financial Impact &amp; Public Involvement Statement          Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document          If "Yes" requires City Policy paragraph stated in document.          Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date          February 27, 2013</p> <p><b>City Attorney Approval:</b>          required for contract, code, easement, franchise, comp plan, charter</p>	<p><b>ACTION TAKEN:</b></p>

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____          (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p>Total amount of time needed: _____          (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	